

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: D.A.L. Wallace et al. Attorney Docket No.: SPC115495
Application No.: 09/842366 Art Unit: 2155 / Confirmation No.: 6571
Filed: April 24, 2001 Examiner: A.M. Nawaz
Title: METHOD, SYSTEM, AND APPARATUS FOR PROVIDING DATA
REGARDING THE OPERATION AND MONITORING OF A CONTROL
SYSTEM

RESPONSE TO SECOND NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF

Seattle, Washington 98101

April 5, 2010

TO THE COMMISSIONER FOR PATENTS:

In response to the Notification of Non-Compliant Appeal Brief mailed March 3, 2010, in the above-referenced patent application, appellants submit the following:

Claims 36 and 37 are not independent claims to which the requirements of 37 C.F.R. § CFR 41.37 (c)(1)(v) apply. Instead, Claims 36 and 37 are multiple dependent claims that each depend from Claims 27-28, 31, and 33-35.

Even though appellants do not agree with the ground for the Notification of Non-Compliant Appeal Brief, in order to advance prosecution, appellants submit herewith a replacement SUMMARY of CLAIMED SUBJECT MATTER section (pages 5-9), which provides a concise summary of Claims 36 and 37.

Respectfully submitted,

CHRISTENSEN O'CONNOR
JOHNSON KINDNESS^{PLLC}



Clint J. Feekes
Registration No. 51,670
Direct Dial No. 206.695.1633

LAW OFFICES OF
CHRISTENSEN O'CONNOR JOHNSON KINDNESS^{PLLC}
1420 Fifth Avenue
Suite 2800
Seattle, Washington 98101
206.682.8100

V. SUMMARY OF CLAIMED SUBJECT MATTER

In the summary below, the page and line numbers correspond to the page and line numbers of the application as filed. However, the references to the detailed description made herein are merely provided as an aid in understanding of the claimed subject matter. Accordingly, the locations referenced in the detailed description are merely exemplary embodiments of the disclosed subject matter and should not be construed as limiting.

With regard to Claim 1, a system that provides information regarding the operation of a control system is disclosed. (See, for example, the embodiments disclosed in, but not limited to, FIGURES 1A-B, FIGURE 2, FIGURE 3, FIGURE 4, FIGURE 5, FIGURE 13; page 10, lines 11–33; page 12, line 30, to page 13, line 11; page 21, lines 29–34; page 22, lines 12–22.) The system includes a Web server module associated with said control system, said Web server module having a memory operative to store a non-markup language Web site database that may be used to dynamically generate a markup language Web page in response to a request (see, for example, the embodiments disclosed in, but not limited to, FIGURE 3, FIGURE 4, FIGURE 5; page 13, lines 12–18; page 13, line 31, to page 14, line 4), wherein said Web site page is populated by the Web server module with information obtained directly from memory registers of the control system in response to the request. (See, for example, the embodiments disclosed in, but not limited to, FIGURE 2, FIGURE 3, FIGURE 26; page 30, line 22, to page 31, line 7; page 31, lines 15–24.) A remote computer is included in the system that is operative to receive user-defined non-markup language configuration data defining attributes of said Web site, to store said configuration data as said non-markup language Web site database, to transmit said non-markup language Web site database to said Web server module, and to request and receive said markup language Web page from said Web server module. (See, for example, the embodiments disclosed in, but not limited to, FIGURES 1A-B, FIGURE 2, FIGURE 12, FIGURE 13, FIGURE 14, FIGURE 15; page 9, lines 17-23; page 21 lines 15-19; page 23,

lines 12-22, page 23, line 31, to page 24, line 21; page 24, lines 30-32; page 33, lines 8-32.) A Web server module configuration application associated with the remote computer is operative to create said non-markup language Web site database from information obtained locally at the remote computer and to transmit said database to said Web server module in response to the request. (See, for example, the embodiments disclosed in, but not limited to, FIGURES 1A-B, FIGURE 2, FIGURE 7, FIGURE 17, FIGURE 23, FIGURE 24, FIGURE 28, FIGURE 29, FIGURE 30, FIGURE 31, FIGURE 32; page 7, lines 23-29; page 9, lines 24-29; page 12, lines 18-29; page 17, lines 1-9; page 25, line 21, to page 30, line 11; page 32, lines 5-15; page 32, line 28, to page 33, line 32.) Moreover, the Web server module in the system is further configured to receive the non-markup language database from the remote computer in a request and to dynamically generate a markup language Web page that includes information obtained directly from memory registers of the control system in response to said request without data related to said markup language Web page persisting on said Web server module. (See, for example, the embodiments disclosed in, but not limited to, FIGURES 1A-B, FIGURE 2, FIGURE 5, FIGURE 6, FIGURE 7, FIGURE 8, FIGURE 9, FIGURE 10, FIGURE 17, FIGURE 27; page 7, lines 31-35; page 15, lines 14-18; page 15, line 29, to page 16, line 2; page 16, lines 18-34; page 17, lines 10-31; page 18, lines 2-10; page 18, line 33, to page 19, line 12; page 19, lines 21-30; page 25, line 21, to page 30, line 11; page 31, lines 15-24.)

With regard to Claim 27, a method of providing information regarding the operation of a control system is disclosed. (See, for example, the embodiments disclosed in, but not limited to, FIGURES 1A-B, FIGURE 2, FIGURE 13; page 10, lines 11-33; page 12, line 30, to page 13, line 11; page 21, lines 29-34; page 22, lines 12-22.) The method receives user-defined non-markup language configuration data defining attributes of a Web site wherein the Web site corresponds to aspects of a programmable logic controller defined by a user wherein said configuration data defines a table with entries corresponding to the contents of read or write

memory registers contained within said control system (see, for example, the embodiments disclosed in, but not limited to, FIGURE 3, FIGURE 5, FIGURE 6, FIGURE 7, FIGURE 9, FIGURE 10, FIGURE 12, FIGURE 14, FIGURE 15, FIGURE 26, FIGURE 28; page 12, lines 18–29; page 15, line 29, to page 16, line 2; page 16, lines 18–34; page 17, lines 1–9; page 18, lines 13–16; page 19, lines 6–12 and 21–30; page 21, lines 15–19; page 23, lines 12–22; page 23, line 31, to page 24, lines 21; page 24, lines 30–32; page 31, lines 15–24; page 32, lines 5–15; page 32, line 28, to page 33, line 32), wherein said data defining said table is created by receiving a mapping of a text tag to said memory register and by receiving a selection of said tag and a request that said tag be displayed in said table. (See, for example, the embodiments disclosed in, but not limited to, FIGURE 30, FIGURE 31, FIGURE 32; page 33, lines 8–32.) The method stores said configuration data as a non-markup language Web site database. (See, for example, the embodiments disclosed in, but not limited to, FIGURES 1A–B, FIGURE 2, FIGURE 5; page 7, lines 23–29; page 9, lines 24–29; page 15, lines 14–18.) In response to a request, the method dynamically generates a Web page defined by the non-markup language configuration data stored as a non-markup language Web site database that provides information regarding the operation of a control system (see, for example, the embodiments disclosed in, but not limited to, FIGURES 1A–B, FIGURE 2, FIGURE 4, FIGURE 5, FIGURE 17, FIGURE 18, FIGURE 19, FIGURE 20, FIGURE 21, FIGURE 22, FIGURE 23; page 7, lines 23–29; page 9, lines 24–29; page 13, lines 12–18; page 15, lines 14–18; page 25, line 21, to page 30, line 11), wherein said markup language Web page is generated dynamically without persisting on a Web server. (See, for example, the embodiments disclosed in, but not limited to, FIGURES 1A–B, FIGURE 2, FIGURE 5, FIGURE 6, FIGURE 7, FIGURE 8, FIGURE 9, FIGURE 10, FIGURE 17, FIGURE 27; page 7, lines 31–35; page 13, line 31, to page 14, line 4; page 17, lines 10–31; page 18 lines 2–10; page 18, line 33, to page 19, line 5; page 25, line 21, to page 30, line 11; page 30, line 22, to page 31, line 7.)

With regard to Claim 36, a computer-readable medium (see, for example, the embodiments disclosed in, but not limited to, FIGURES 1A–B, FIGURE 2, page 10, lines 20–30; page 11, lines 1–25; page 12, lines 18–29; page 13, lines 1–11) comprising instructions which, when executed by a computer (see, for example, the embodiments disclosed in, but not limited to, FIGURES 1A–B, FIGURE 2, page 10, lines 11–33; page 12, line 30, to page 13, line 11; page 21, lines 29–34; page 22, lines 12–22) to perform the method of any one of Claims 27–28, 31, and 33–35 (see, for example, the embodiments disclosed in, but not limited to, FIGURE 3, FIGURE 5, FIGURE 6, FIGURE 7, FIGURE 9, FIGURE 10, FIGURE 12, FIGURE 14, FIGURE 15, FIGURE 26, FIGURE 28; page 12, lines 18–29, page 15, line 29, to page 16, line 2; page 16, lines 18–34; page 17, lines 1–9; page 18, lines 13–16; page 19, lines 6–12 and 21–30; page 21, lines 15–19; page 23, lines 12–22; page 23, line 31, to page 24, line 21, page 24, lines 30–32; page 31, lines 15–24; page 32, lines 5–15; page 32, line 28, to page 33, line 32).

With regard to Claim 37, a computer-controlled apparatus (see, for example, the embodiments disclosed in, but not limited to, FIGURES 1A–B, FIGURE 2, page 8, lines 3–17; page 11, lines 1–25; page 12, lines 18–29; page 13, lines 1–11) capable of performing the method of any one of Claims 27–28, 31, and 33–35 (see, for example, the embodiments disclosed in, but not limited to, FIGURE 3, FIGURE 5, FIGURE 6, FIGURE 7, FIGURE 9, FIGURE 10, FIGURE 12, FIGURE 14, FIGURE 15, FIGURE 26, FIGURE 28; page 12, lines 18–29, page 15, line 29, to page 16, line 2; page 16, lines 18–34; page 17, lines 1–9; page 18, lines 13–16; page 19, lines 6–12 and 21–30; page 21, lines 15–19; page 23, lines 12–22; page 23, line 31, to page 24, line 21, page 24, lines 30–32; page 31, lines 15–24; page 32, lines 5–15; page 32, line 28, to page 33, line 32).

CJF:lpz